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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,256	04/03/2004	Huang-Chang Hsu	10114011	1800

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QUINTERO LAW OFFICE, PC
2210 MAIN STREET, SUITE 200
SANTA MONICA, CA 90405

EXAMINER

CHOW, YUK

ART UNIT	PAPER NUMBER
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2609

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/817,256

Applicant(s)

HSU ET AL.

Examiner

Yuk C. Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Apr. 3, 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Grauz et al. (US Patent 4,862,151).

For claim 1, Grauz teaches:

An input module (Fig. 1(1)), comprising: a base (Fig. 2 (22)); a post (Fig. 2 (20)) disposed on the base; and a touchpad (Figs. 1 and 2 (8)) movably (Col. 1 Line 56-57) disposed on the post, perpendicular (Col. 2 Line 4, describes a switch, which is operated by pressing down the touchpad, the force required to operate the switch is constant regardless of the position, since there is no angular movement of the touchpad, the perpendicular component of the force is consistent every time the switch is operated) thereto.

For claim 2, Grauz teaches:

The input module as claimed in claim 1, further comprising a frame (Fig.7) disposed on the base surrounding the touchpad moving (Col. 2 Line 10, "pad is surrounded by a frame") therein.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grauz in view of Hosoya (US Patent 6,590,565).

As to claim 3, Grauz teaches a touchpad (Figs. 1-3 (8)).

However, Grauz differs from the claimed invention in that the support mechanism is not taught to necessarily be a "scissors-type" support.

Hosoya teaches a keyboard unit having pop-up key-tops utilizing a scissors-type support mechanism (Figs. 4 and 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a scissors-type support mechanism with input device of Grauz's. The claimed invention combines the function of a keypad and a touchpad, it will need a better support other than conventional touchpad support. Since scissors-type support works well in Hosoya's, this will also benefit the support of a touchpad that has dual function.

5. Claim 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grauz in view of Donohue et al. (US Patent 6,262,717).

As to method claim 7, same rejections apply as in claim 1, 2 except "defined character area". However, Donohue teaches defined character area (see Fig. 6(29)).

As to Claim 4-6, Grauz teaches a touchpad (Figs. 1-3 (8)).

However, Grauz differs from the claimed invention in that the touchpad is not taught to necessarily have a "plurality of defined character areas", "touch-sensitive defining the character" or "plurality of alphanumeric character areas".

Donohue teaches a touchpad to be used as an alphanumeric keypad (Col. 10 Line 55 – Col. 11 Line 10); the touchpad's touch-sensitive surface (Fig. 6 (26)) has multiple programmable zones (Fig. 6 (29)), which can be used as character or numeric area.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to use multiple programmable portion of touchpad for multiple functions with input device of Grauz's. Such combination provides additional functionality and flexibility, and further reduces the size and simplicity of the user interface. Therefore, it increases the convenience.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuk C. Chow whose telephone number is 571 270-1544. The examiner can normally be reached on 8-6 M-TH E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amare Mengistu can be reached on 571 270-1550. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YCC


AMARE MENGISTU
SUPERVISORY PATENT EXAMINER